

April 26, 2016

PennEast Pipeline Company LLC
c/o Mr. Anthony Cox
Project Manager
1 Meridian Boulevard
Suite 2C01
Wyomissing, PA 19610

Re: Incompleteness Review
PennEast Pipeline Project – Carbon County
APS ID# 893362, AUTH ID# 1111981
DEP Application No. E13-185
Kidder Township, Penn Forest Township, Towamensing Township,
& Lower Towamensing Township
Carbon County

Dear Mr. Cox:

The Department of Environmental Protection (DEP) has reviewed the above referenced application package and has determined that it is incomplete. The following list specifies the items missing from the submission which must be included in the resubmittal of your application and/or the submission of additional information. *Chapter 105 Dam Safety and Waterway Management regulations* includes information that will aid you in responding to some of the items listed below. The items are based on applicable laws and regulations, and the guidance sets forth DEP's preferred means of satisfying the applicable regulatory requirements.

Please note that this information must be received within sixty (60) calendar days from the date of this letter, on or before **June 25, 2016**, or DEP will consider the application withdrawn.

Items Missing from Submission

All Requested Information Below Must Be Submitted in Triplicate:

1. When considering the appropriateness of the applicant's land use notifications pursuant to the Department's Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances (Document No. 012-0200-0001 August 19, 2009), we need to know if a county or multi-county or a municipal or multi municipal comprehensive plan exists.

Since the project is located in multiple counties/municipalities, the Department would need the answer to each one of those questions for each municipality and each county. Please provide Land Use Information for each municipality and county. [§105.14(b)(9)]

2. Please provide the results of the Bog Turtle Habitat Screening. [§105.13(e)(1)(x)]
3. Please provide the resolution of potential impacts to threatened and endangered species from Pennsylvania Department of Conservation and Natural Resources, Pennsylvania Fish & Boat Commission, Pennsylvania Game Commission and U.S. Fish & Wildlife Service. Please request/provide county specific letters from the agencies indicating that county specific impacts are resolved. [§105.13(e)(1)(x)]
4. Act 167 Stormwater Management Plans have been prepared/adopted for watersheds within Carbon County under the Stormwater Management Act. Please provide an analysis of the project's impact on the Stormwater Management Plan and a letter from the municipality or county commenting on the analysis, in accordance with §105.13(e)(1)(v).
5. Please provide the municipality and the USGS Quadrangle map within the Waterbody Crossed and Wetlands Crossed Tables. [§105.13(e)(1)(x)]
6. It does not appear that the access road crossings to wetlands and waterbodies have been provided within the Tables. Please provide accordingly. [§105.13(e)]
7. Should there be any new permanent above ground structures that are being located within a FEMA delineated floodway, please include an analysis of the project's impact on the floodway delineation and water surface profiles and a letter from the municipality commenting on the analysis §105.13(e)(1)(vi).
8. If the stormwater or the floodplain management analysis conducted indicates increases in peak rates of runoff or increases in flood elevation, please include a risk assessment describing the property and land uses which may be affected and an analysis of the degree of increased risk to life, property and the environment. [§105.13(e)(1)(vii)]

Your permit application is also being treated as an application for a license to occupy the submerged lands of the Commonwealth pursuant to Section 15 of the Dam Safety and Encroachment Act which states that no permit may be issued unless the applicant holds an estate or interest in the submerged lands.

To enable us to prepare the necessary license agreement for Pohopoco Creek and the Lehigh River, it will be necessary for you to supply us with the following additional information

- A. Verify the exact corporate name (as it appears on your corporate stamp) and indicate whether the applicant is a corporation, partnership, individual, or other. Indicate the date of the incorporation, and a legible imprint of your corporate seal is required.

- B. Provide the name and title for the responsible official of the corporation/partnership.
- C. Provide your federal identification.
- D. Indicate whether the riparian lands abutting the proposed facility are owned or leased by the applicant. If leased, a copy of the lease must be provided. Property boundary lines would be indicated.
- E. Provide a detailed up-to-date 8½" x 11" plan drawing of the water obstruction or encroachment occupying submerged lands of the Commonwealth, including dimensions and elevations. The drawings must show the area of submerged lands occupied by the structures or facilities. The normal pool elevation or ordinary low water line must also be shown.
- F. Provide a current address to send invoice (if different from given address).

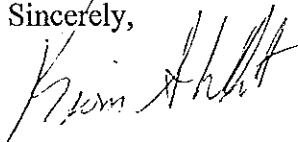
You may request a time extension, in writing, before **June 25, 2016** to respond to the deficiencies beyond the sixty (60) calendar days. Requests for time extensions will be reviewed by DEP and considered. You will be notified in writing of the decision either to grant or deny, including a specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code §105.13a(b).

DEP has developed a standardized review process and processing times for all permits or other authorizations that it issues or grants. Pursuant to its Permit Review Process and Permit Decision Guarantee Policy (021-2100-001), DEP guarantees to provide permit decisions within the published time frames, provided applicants submit complete, technically adequate applications/registrations that address all applicable regulatory and statutory requirements, in the first submission. Since you did not submit a complete and/or technically adequate application, DEP's Permit Decision Guarantee is no longer applicable to your application.

As stipulated in 25 Pa. Code §105.13a of DEP's Chapter 105 Rules and Regulations (regarding Complete applications) information requested by this office must be received within sixty (60) calendar days from the date of this letter, on or before **June 25, 2016**, or DEP will consider the application/registration to be withdrawn by the applicant and no further action will be taken on the application/registration. Fees are not refunded when an application/registration is considered to be withdrawn.

If you have questions about your application, please contact Michael Luciani, Application Manager, at 570-830-3089, and refer to Application No. E13-185, Authorization No. 1111981.

Sincerely,



Kevin S. White, P.E.
Environmental Group Manager
Waterways & Wetlands Program

cc: AECOM
Carbon County Conservation District
Kidder Township
Penn Forest Township
Towamensing Township
Lower Towamensing Township
U.S. Army Corps of Engineers, Philadelphia District
PA. Fish & Boat Commission, Division of Environmental Services